G. R. S. IX-5]

Previous references.

1889

~~191~~ .

(Land Rev.)

File No. 28-1889

Serial Nos. 1-5

Later references.

LR 91-03-04

L.R. 477-17 Sb. 1-4.

GENERAL AND REVENUE SECRETARIAT.

55

Serial Nos. 1-5

Major ~~Part~~ **B for** July 90.

SUBJECT.

Claim to the Shanabhogi office of Tammadehalli
finka by Shanabhoge Javaraiyappa.

W D 88—GPB—50,000—24-7-16

Indexed
HS

Memo:

Petition Nr. 115 of 1890

from Jamarayapah,
Buckdar Shanbogue,
Kusha Bodiyar and
Taluk, Tumkur District.

Docket Nr. 94 of 29 Aug/;
from the Dy: Comm: Tum
-kur District submitting
Proceeding in the case.

---

28 February 1859. The appellant Jama
-rayappah complained
to the Dy: Comm: that
during the Pukka Poly
Settlement the Shan-
bogueship of Kusha
Bodiyar Farka was con
-ferred on his name
and the other Farka
consisting

consisting of 4 villages,
Viz. Thummadchutti,
Karay Coorgandanhutti,
Olayerayhutti and Kesa-
-vāpura were given
-tried in his son
Ramasimmath Rao's name
that as his son was
a minor, the appellant
was conducting the
duties of both the Firkas;
that as his son subs-
-sequently died he
had appointed one
Ramkistnapah as a
Gumasta to look after
the work and solicited
that these 4 villages
standing in his sons

might

that he had a large family and his son Venkatroyapah was about 9 years of age and who was well educated and that he therefore solicited that the 2 vacancies caused by the death of Ramamurthi Rao and by the dismissal of his son-in-law might be registered in the names of his daughter and her son Venkatroyapah respectively after examining the

Barabolee

Barabolatee Registers

&c. which are in

the Taluk Kutcherry-

The Esq. Shanbogue 8 April 1889.

Ranjimudu has

deposed before the

Dy: Amildar that

the above Ranjim-

-deah is his father-

-in-law; that he

during the Potiga set-

-tlement got the Bulija

Kusha Firka registered

in the name of Javaroy

-apah, his brother in law,

and Thimmaohutti

Firka in the name of

Ramammah Rao;

that

that as Bammanna
Rao died, this Firka
might be registered
in the name of his
son Venkatrayappa
as solicited by his
father in law in
his Petition; that
he was the Shanbogue
of Doddabidarahalli
Firka but as he was
imprisoned and dismiss
on account of an
Embezzlement of Rs:
24-7-6 this Firka
may also be registere
in his sons name.

The

The Amildar of
Chickanaikenhully
to whom the records
were sent by the
Dy: Amildar has
reported to the Deputy 18 April 1889.
Commissioner that
Jawarayapah had
requested to register
his name as Shanbogue
in room of his deceased
son Bamanmuthow;
that Runjundah, the
father-in-law of the
dismissed Shanbogue
Runjundah, solicited
his daughters son
Venkatrayapah should
be

deceased Shanbogue
Bammanna Rao's post
may be given to Ven-
-katramyapah, the son
of the deceased Shan-
-bogue, as he is the
huckdar, or that his
father's post may be
given to his son as
the expiry of his father
incarceration in the
Jail exceeds over
10 years-

In Reply the Dy:
Commr ordered the
Amildar to send the
Records of 1878.

11 May 1889-

Ramyanaik

Runyamonk the
dismissed Shanbogue
addressed the Dy:
Comm.r that he
was the Shanbogue
of Baliyar and other
16 Villages out of
which 4 Villages
were fraudulently
taken away by
one Moodlur Durga.
puh during his
infancy: that at
the Survey Settlement
the remaining 12
villages were divided
into 3 circles of these
the 1st Doddaledray

Firka

and solicited the
Dy: Commr to get the
Thummadehulli and
Doddu Bidray Turku
registered in the name
of his son who is 9 years
of age and his wife -
The Devasi Proceedings
submitted with the
above Petition is as
follow.

Read letter No. $\frac{69}{10}$ 75 Feby
1881 from the Dy: Commr.
Bangalore D.^{t}.

Order thereon No. $\frac{929}{34}$ 79 May 188.

In all such cases
as are mentioned in
the letter it is not
fair to appoint an

an outsider (not
belonging to the family)
for the post of Chan-
-hague or some
such hereditary
appointment if the
claimant is dismissed
for fault and thus
forfeit his claims-
and the person so
appointed cannot
have any claim
on the appointment-

It is thought
advisable to appoint
a stranger (in cases
in which the claimant
has

and to pay a fine
of Rs: 50. The Chairman
was thereafter re-
-moved from his Seat
altogether and the
Auditor was directed
to recommend a
competent person
not in any way
related to the dis-
-missed Chairman
for the Office. The
Ag: Auditor recom
-mended one Gangaiah
of Kundikere as a
competent man to
be

be appointed to the
Shanbogue Office - An
order of 17 April went
from this Office to
send in the man
to the District Office.
The Amildar has sent
up the man and
in doing so he brings
to notice the case of
one Jawarayapah. ~~to~~
The latter bases his
claims to the Office
on the following facts -
The Shanbogue of 16
villages of the Bulyar
Firka (of which the
4 Villages in question
form

The former now
requests that he may
be appointed to the
vacant charge.
The Province of the
Cy: Dundas namely
Gananoque appears
to know the general
duties of Chamberlain
and he is also acquainted
with the Surveyors
& Accounts. On this
Memo: the Dy: Comrs.
passed the following
order.

Appoint the man
first recommended
who is no relation.

after

After perusal
of the whole record
the Dy: Commr Tan
-kur District passed
the following order. 10 January 1890

Ramjundeah suf-
-fered imprisonment
more than 12 years
ago, and this is the
period fixed by
Govt during which
a delinquent village
official may be
deprived of his here-
-ditary rights. Java
-ramapah holds
and enjoys one of
the village scales,
hence

and Jaiswarajan
-dasahulli were
registered in the
name of Appellant
and they are still
in his enjoyment
As Ramamurthi Rao
was a minor at the
time, a Gumasta was
appointed to do the
duties of the Office.
3. That Ramamurthi
Rao having died, Appe
-llant claimed the
Shanbhogueship of
Thammadahulli Firka
and the Dy: Comr in
his order dt. 17.6.97 held,
Called

called for a report
as to who was the
huckdar and whether
he was qualified
for the Office. No
Mention was made
in it of Ramyundeih
who was then under
going punishment
in Jail. Without
any reference to this
order and the Records
the Dy Comrs of Tumkur
has directed the registry
of Ramyundeihs Sons
name as the huckdar.
4. That when Res-
pondent was Shembogue
of

Appellant.

Javarayappa.

Respondent

vs Nanjundiah.

Uliyar Sub Taluk.

Mr D Venkataramiah

advocate

Appln for

Sum thereof by Plas

Sum ent. Plts take

Reply adv

Reply denies

that has any right

whatever to hold charge of

that Plas can run

Dam. he was appointed

manager of Reply—

Reply's son at least is ent.

to it is mine. a Guardian

be appointed The Dy Comr

has authority to appoint

Reply

— The witness apply to

Com Court. : Not entitled

take one — Com for Court

alone to

16 Jan 91

M No 115 dated 15 Apl 1890

Appt
Savarayappa
of Budihal —
Haliyal Taluq.

Respt
Ranganah

Prior to the Pahgi settlt Respdt was shanbhog of 12 villages, which on the Pahka Pahgi settlement were divided into 3 Pirkas named in the margin. To the 1st named Pirka, Appt who was the husband of the Respts sister was appointed & for the 2d Pirka, the Appts son a minor Hanumantarao was appointed with the consent of the Respt, & to the 3d Pirka Respdt was appointed. He was in Dy ~~Appt~~ one

1 Haliyal Pirka 4 villages
2 Jandhalli " 4 "
Mudbidka " 4 "

1 Ramakrishnarao was appointed to do duties for the minor Hanumantarao

In 1878, Respdt was dismissed, he having been convicted of embezzlement & sentenced to 18 months imprt & a stranger named Ganpath was appointed in his place

Hanumantarao, the

person in whose name
the 2d Pitka was registered,
died in 1879, his father the
Respt Appt claimed
her father claimed Registry
in her name. — The
Dy Comr ordered the Gumasta
Ramakrishnaiah to
continue to do duties called upon ordered the ameen to
report further in the matter.
Vide Dy Comrs order dated
6th Nov 1879 No 1769. —

Ultimately in Jany 1890
the Dy Comr appointed
Respondt son Venkatraya
to the 2d Pitka. Respdt is
still alive. —

Appt appeals against
this order. —

R Appt states that
the Pitka originally belonged
to him & not to the Respdt, &
that the latter may have
dismissed in a serious criminal
case has no regard to the office. —

R Dy Comr says
the appointment appeared
to be referred to Mr. G O dated
9th May 1881 in which it is
stated that except in extreme
cases, the deceased man
heirs of the deceased man
should be appointed after
a period of 10 or 20 years. —

R Respondent
states that the Pitka

originally belonged to him & that the appointment of his son was absolute void as

Respt

the Respt relies on the Pakka Potge ~~Book~~ Register in which his name is recorded as the Huckdar, & the appellant's son is shown as having been appointed with his consent. (Respt's) consent.

So far as this Respt goes, there is no doubt that Respt is the Huckdar, & the Govt have no objection to the latter being regd in the name of his minor son, but the Respt who was dismissed from office for embezzlement of Govt money is a ~~person not~~ competent to be allowed to do duties or appoint a gumasta on his behalf. The Respt appd should be allowed to nominate a gumasta & discharge the duties during the ~~pendency~~ minority of the Respt's sons, after which, a suitable gumasta ~~may be~~

Lingappa
Devaramb
Suryanarayana
Narayanappa

^ The regd holder may be allowed to do duties, or if he still continues to be a minor

his
appointed on behalf
~~of the Crown registered~~
~~under if he does~~
~~contracts to be a Trustee~~
If the Appt considers
that he has a title to
the office irrespective
of the appointment made
as the Postg Settl with
the consent of the Respt,
he should establish
it by a regular suit.

CR
1/12/90

CR 1/7

Respt. to appl

As the Postg Regn shews
that the Respt was
the Husband, & that Appt
Respts late son was
appointed with the consent
of the Respt, the office
cannot be regd in
her (Appts) name; but
as the Respt who has
been convicted of a serious
offence cannot be allowed
to perform the duties of the office either
personally or by proxy, the DC Court
has been directed to allow Appt
to do the duties ~~of the office~~ by a
Journata till the death of the Respt.—
2— If the ~~Respt~~ Appt has any right
to the office, irrespective of her

Costs
of Appointment with the
consent of Respt;
or established by Suit
by a Plaintiff
CR
1/7

R.M. 44 of 1890-91

1

Serial 1

Abstract translation of

Petition No 1159 of 15th April 1890.

Section LR
File No 28-89
Serial No 1

Appellant
Javarayappa, Havildar
Shanboque, Kasba
Tumkur District
(Original Defendant).

Respondent
Nanjundayya,
son of Chikkanaika
alias Thimmappa
Kasba Huliyar.
(Orgl. Plaintiff.)

The Shanboguship of Jam
madihalli, Keresirayondana-
halli, Voleyrehalli & Kesavapur
halli, Voleyrehalli constituting the Jammadihalli
Pirka, was registered in the name
of Appellant's son Hanumanta
Rao during the Pakka Poligi
Rao during the Pakka Poligi
Rao, and on his death Appel
lant claimed the substitution
of his own name, but the Dy
Comm. ordered that Respondent's
son's name should be regis-
tered instead. Thereupon
Javarayappa prayed for a
review of the order received
an Endorsement to the effect
that the matter had been dis-
posed of once for all. Hence
he appealing against the Dy.
Comms order, Appellant pray
that the proceedings in the Cas
may be sent for for perusal
1. The marginally noted persons

No 2366 of 24.1.90.
This order is in English
attached to the file of papers
accompanying the petn.

No 858 of 26.2.90
This is in canarese.
Dy Comm. declines to interfere
in the order already passed.

Appellant's father Lingappayya,
Do Cousins son Sivaramayya,
Do another Cousins son Kochkatte
Narayanayya,
Narayanayya's uncle's son
Suranarayanappa.

were the hereditary Shanbogues of the 16 Villages which made up the 5 Circles viz, Anligar, Doddabidare, Kenkere, Sowdagere and Tammadihalli. The Pedigree under No 3 in the Schedule attached forms the part.

2. A genealogical tree is also attached. As Suvarnayya referred to above had no male issue, he adopted his daughters son Chétrapollayya the youngest brother of Respondent Nanjundayya. Appellant is the only surviving member of the family.

3. The said Chétrapollayya's name was registered as the Shanbogue of 8 out of the 16 Villages referred to and Appellant's elder brother Narasappa was appointed Shanbogue of the remaining 8 Villages. vide Taluk Amildar of late Bandikal Taluk dated in accordance with Dy Supts order No. 138 of 8.2.60.

4. On Chétrapollayya's death the aforesaid Narasappa was nominated Shanbogue of all the 16 Villages and Respondent's claim was set aside altogether vide Orders No 3 dated in accordance with Dy Supt Col. Dobbs Order of 7.6.60.

Tenkanahalli, and Toresina-
gondanahalli were regis-
tered in the name of Appellant
and they are still in his enjoy-
ment. As Hanumanta Ras
was a minor at the time a Gu-
masta, Rama Krishnayya
by name, was appointed to do the
duties of the office.

10. Hanumanta Ras having
died, Appellant claimed the
Shanbogueship of Tammadi-
halli Firka, and the Dy: Comm.
in his Order No. 1769 of 6.11.79 called
for a report as to what was the
custom and whether he was
qualified for the office. No
mention was made in it of
Nanjundayya who was then
undergoing punishment in
jail. Without any reference
to this order & the records the
Dy: Comm^r of Tumkur has
directed the registry of Hanu-
~~ma~~ Nanjundayya's name
name as the Curkdar.

11. When Respondent was
Shanbogue of Kochakatte
village, he was convicted of
misappropriation of revi col-
lections amounting to Rs 33/15/-
fined Rs 50/- and sentenced

a undergo imprisonment for
1½ years. Under C. C. Circular
No 1868 he and the members of his
family were deprived
of the office. Copy of Collector
Army Dy. Commr's Hukum No
15 dt 12.4.98 to the Amildar of
Gadhal and Appellant's
Kyfiat are attached for perusal. From Nos 405
above it will be seen that Nan-
nindayya has no link at
all to the Shanbogueship of Tam-
mandihalli Firka. When his
name was registered Ap-
pellant was ill and his brother
Narasappa died and so he
contended that in his claim.
Subsequent to the death of Nara-
sappa certain villages
were assigned to Appellant
and certain other villages to
Nanjundayya who has lost his
link to the Shanbogueship of these
villages for reasons stated above.
In fine Appellant prays that
the Shanbogueship of Tamma-
dihalli Firka may be registered
in his name and that the decision
of the original Court may be
reversed.

Petition for Writ
19/4/90

14

17-4-90

17-4-90

No. 115

Mrs. [illegible]
Thandate
Petitioner Advt 31/5/90

17-4-90

17-4-90

ಸಂತಕಾಲದಲ್ಲಿ ಸಂತಕಾಲದಲ್ಲಿ ಸಂತಕಾಲದಲ್ಲಿ ಸಂತಕಾಲದಲ್ಲಿ

2

3

4.

ಶಿವರಾಜ್ಯ ಸ್ಥಳಗಳ ಕಾರ್ಯಾಲಯ ಸಮೀಪ
ಸ್ಥಳಾಂತರ ಸಂಬಂಧಪಟ್ಟ ಭಾಷೆಯಲ್ಲಿ ಸಮೀಪ
ಬಂಧಿಸಿದ ಸ್ಥಳಗಳಲ್ಲಿ ಸಮೀಪ ಸಮೀಪ
ಸಮೀಪ ಸ್ಥಳಾಂತರ ಸಮೀಪ ಸಮೀಪ - ಸಮೀಪ ಸಮೀಪ
ಸಮೀಪ ಸ್ಥಳಾಂತರ

50 ಮೀಟರ್ ದೂರದಲ್ಲಿ ಸಿ.ಸಿ. ರಸ್ತೆ ಇದೆ. 1962 ನೇ
409 ನೇ ಸಿಟಿಎಸ್ ಸರ್ವೆ ನಂಬರಿನ ಜಮೀನಿನ ಪೂರ್ವ ಭಾಗದಲ್ಲಿ
ಸದರಿ

ಇದು ಬೆಳ್ಳಿಕಟ್ಟೆಯಲ್ಲಿರುವ ಸೀತಾರಾಮ ದೇವಸ್ಥಾನದ ಹಳೆಯ ಶಿಲಾಶಾಸನ

ಅಕ್ಷರಗಳು - ಅಕ್ಷರಗಳ ಮೇಲೆ ಮಾತ್ರೆಗಳು ಕಾಣುವುದಿಲ್ಲ

ಇದು 1878 ನೇ ಇಸವಿಯಲ್ಲಿ 12 ನೇ ಶತಮಾನದ ಶಾಸನ

ಶಾಸನದ ಕೆಳಗಿನ ಭಾಗದಲ್ಲಿ ಸೂರ್ಯ ಚಂದ್ರರ ಚಿಹ್ನೆಗಳಿವೆ

ಮೇಲಿನ ಭಾಗದಲ್ಲಿ ಶಿವಲಿಂಗ ಮತ್ತು ಎರಡು ಪಕ್ಕದಲ್ಲಿ ಆನೆಗಳಿವೆ

ಶಾಸನದ ಕೆಳಗಿನ ಭಾಗದಲ್ಲಿ ಸೂರ್ಯ ಚಂದ್ರರ ಚಿಹ್ನೆಗಳಿವೆ

ಶಾಸನದ

R. M. 4 4 of 1890-91
No. 81.
Serial No. 2

Section
Bk No 28-87
Serial No 2

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT.
OFFICIAL MEMORANDUM.

The accompanying Petition No. 115
dated 15th April 90 received at the
Dewan's Office from Javarosappah,
Hakdar Shanbogue,
Kasaba Huliyar,

is forwarded, together with its fourteen
enclosures, to the Dy: Comm^r,
Tumkur District, for
enquiry in the Proceedings in the Case,
before the end of this
month.

By Order,

Dir^d as per
C^s order 9/5

for Chief Secretary.

Bangalore,
13/5/1890.

17
A.R.

R. M. 44 of 1890-91
P. D. Serial 3

(3)

(General Serial No. 29)

OFFICE 1776. 2 JUN 90 MAN OF MYS

1890-91 94

From

Section

No 2 Kunigal Dist.

Serial No 3

To

The Chief Secretary to the Dewan of Mysore.

Bangalore

Dated 29th May 1890

Despatched

Received

Enclosures No. Rs:

General No. 94

No.

3784 130

Lend this to Peter Daly

A1 3/6/90

Kunigal Dist. for precis to be submitted by the 15th. A1 5/6/90

Memo: Submitted A.H. 14/6/90.

To the Chief Secy's docket No. 81 of 13th Instant

Has the honor to submit the Proceedings in connection with the petition of Javaraya Gowda Shanbogue of Huliyar Kusha as called for in the above.

2 The Typo petition and other references received with the above are also enclosed.

[redacted] Dy Comm.

B1 4-6-90

R.M. 44 of 1890-91
Serial 5

21

No. 115

4

OFFICE OF THE DEWAN OF MYSORE,

Bangalore 15th July 1890

29

Section LR

File No 28-89

Serial No 5

Appellant.

Jevaroyappa
of Budihal
Hulyur Taluk

Vs.

Respondent.
Ramanadiah

Endorsement.

In reply to — his — Petition, dated 15 April 1890

Jevaroyappah of Budihal Hulyur Taluk

is informed that as the Potigi Registers shows that the Respondent is the Ha Kdar, and that appellants late son was appointed with the consent of the Respondent, the office cannot be registered in his (appellants) name; but as the Respondent, who has been convicted of a serious offence, cannot be allowed to perform the duties of office either himself or by proxy, the Deputy Commr has been directed to allow appellant to do the duties by a gumastā till the death of the Respondent.

2. If the appellant has any right to the office, irrespective of his late sons appointment with the consent of the Respondent, he is at liberty to establish it by a regular suit

The Enclosures are returned

A.S.

Under Secretary

A.R.